



Maryland Department of Juvenile Services

Treating • Supporting • Protecting

May 5, 2009

DJS Response

Baltimore City Juvenile Justice Center (BCJJC) Incident on April 1, 2009

As the JJMU has identified, this incident was reported by BCJJC staff and thoroughly investigated by DJS' Office of the Inspector General (OIG). DJS also reported the incident to Child Protective Services (CPS) as required; the youth was treated by medical personnel immediately, and because he was ordered to be detained by a judge, he was provided continued care at the Charles H. Hickey Jr. School (Hickey). The youth has scheduled follow-up medical appointments, no longer needs to be housed in an infirmary and is currently in the general population.

The inaccuracies in the JJMU report include:

- 1) The youth in this case did not suffer a fractured nose. No information from the hospital or DJS medical staff indicates that this injury occurred.
- 2) It was clear on the videotape that the youth also pushed the staff, which was not reported in the JJMU's version of the events.
- 3) DJS' OIG did not "initially report...no sustainable charges" and then "reopen...their investigation." This incident resulted in an ongoing OIG investigation until findings were established and a report was completed. This report was provided to the JJMU.
- 4) There seemed to be no indication of any purposeful movement toward the chairs by staff or any intentional physical harm to the youth. Poor restraint technique was noted by OIG.

As we have explained in a previous response, the JJMU is aware that lowering the population at BCJJC to 48 beds is not feasible due to current statutes and court detention decisions, over which DJS has no control. We have reduced our rated capacity at BCJJC from 144 beds to 120 beds but due to detention bed-space needs in Baltimore City, our responsibility for public safety, and the number of detention orders the Courts produce with which we must comply, we cannot reduce the bed capacity to 48 at this time.

The JJMU writes that the upper tier rooms of the units should be closed. Our approach at BCJJC and our other detention facilities is to competently manage and supervise youth as well as to build relationships with them in order to foster trust and good behavior. It is through this kind of intervention that horse playing by youth is best controlled. We understand the myriad of ways rooms can be closed which would satisfy the JJMU monitor's desire to lower the population to 48 beds, but reacting by closing housing areas and reducing already limited space for youth when an incident occurs is not the answer. Instead, DJS' strategy at all of our detention centers is to carefully examine and understand why an incident occurs and take steps to prevent a repeat of it through youth supervision, staff training, and other sound management approaches.